

CONFERENCE COMMITTEE ON SENATE BILL NO. 2

On motion of Mr. Leonard, the House granted the request of the Senate for a conference committee, to adjust the differences between the House and Senate, on Senate Bill No. 2.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Leonard, Aikin, Good, Graves and Wood of Montague.

RELATIVE TO CERTAIN INFORMATION IN REGARD TO OLD AGE PENSIONS

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 1, Concerning certain information in regard to old age pensions.

Whereas, The Legislature has been convened in extraordinary session to consider, among other things, the question of providing old age pensions for citizens of this State above the age of sixty-five, under the terms of a recent amendment to the Constitution adopted by a vote of the people on August 24, 1935; and

Whereas, The Legislature has no reliable information as to the number of persons in Texas entitled to receive said pension; and

Whereas, Before the Legislature can act with intelligence in passing a law to provide such pension, and to raise the funds necessary to pay the same, it is deemed advisable to secure such information for the enactment of such legislation; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the State Auditor, under the direction of a joint committee, composed of members of the Senate and House of Representatives, to be appointed by the Lieutenant Governor and the Speaker of the House, respectfully, in such number as may be deemed advisable by said officers, be authorized to prepare a blank registration form that will furnish to the legislature the facts desired from such persons claiming to be eligible for such pension; that said applicant shall be required to sign and swear to said application form, furnishing the information called for therein, and file the same with the County Clerk of his or her county on or before the first day

of October, 1935; that the State Auditor shall also prepare a form to be used by the County Clerk in making returns from said counties, which will show the number of registrants and such other information as will be called for in the form. It shall be the duty of said County Clerk to transmit forthwith said signed applications together with his formal report to the State Auditor at Austin, Texas.

It shall be the duty of said State Auditor to furnish said registration blanks to the County Clerks of this State in a reasonable proportion to the number of citizens living in the respective counties according to the 1930 Federal Census.

The sum of Seven Hundred Fifty (\$750.00) Dollars, or so much thereof as may be necessary, is hereby appropriated to pay the costs of furnishing and printing said blank forms, and the distribution thereof; said blank forms to be printed under the direction and supervision of the Board of Control.

The resolution was read second time.

Mr. Alsop raised a point of order on further consideration of the resolution on the ground that the resolution seeks to make an appropriation.

On motion of Mr. Keefe, the resolution was referred to the Committee on State Affairs.

ADJOURNMENT

On motion of Mr. Lindsey, the House at 11:20 o'clock a. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Municipal and Private Corporations filed a favorable report on House Bill No. 4.

FOURTH DAY

(Thursday, September 19, 1935)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called and the following Members were present:

Mr. Speaker	Holland
Adamson	Hoskins
Adkins	Howard
Aikin	Huddleston
Alexander	Hunt
Alsup	Hunter
Ash	Hyder
Atchison	Jackson
Beck	James
Bergman	Jefferson
Bourne	Jones of Atascosa
Bradbury	Jones of Falls
Bradford	Jones of Shelby
Broyles	Jones of Wise
Burton	Keefe
Butler of Brazos	King
Butler of Karnes	Knetsch
Cagle	Lanning
Caldwell	Latham
Calvert	Leath
Canon	Lemens
Celaya	Leonard
Clayton	Lindsey
Collins	Lotief
Colquitt	Lucas
Colson	Luker
Cooper	McCalla
Cowley	McConnell
Craddock	McFarland
Crossley	McKee
Daniel	McKinney
Davis	Moffett
Davison of Fisher	Moore
Davisson	Morris
of Eastland	Morrison
Dickison	Morse
Dunagan	Newton
Dunlap of Hays	Nicholson
Dunlap of Kleberg	Olsen
Duvall	Padgett
Dwyer	Palmer
England	Patterson
Fain	Payne
Farmer	Petsch
Ford	Pope
Fox	Quinn
Frazier	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Riddle
Glass	Roach of Angelina
Good	Roach of Hunt
Graves	Roane
Gray	Roark
Greathouse	Roberts
Hankamer	Rogers
Hanna	Russell
Hardin	Rutta
Harris of Archer	Sessions
Harris of Dallas	Settle
Hartzog	Shofner
Head	Smith
Herzik	Spears
Hodges	Stanfield
Hofheinz	Steward

Stinson	Walker
Stovall	Wells
Tarwater	Westfall
Tennyson	Wood of Harrison
Thornton	Wood of Montague
Tillery	Worley
Venable	Young
Waggoner	Youngblood

Absent

Hill Scarborough

Absent—Excused

Fisher	Mauritz
Fitzwater	Reader
Lange	

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered the following invocation:

"Almighty God, in whose hands are the destinies of nations, we pray that wisdom and vision be given in large measure to our national administration, and to us, that together we may carry out the best traditions of our country and our State. We ask it in Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence on account of important business:

Mr. Lange for today, on motion of Mr. Walker.

The following member was granted leave of absence on account of illness:

Mr. Fisher for today, on motion of Mr. McKinney.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Spears, Mr. Calvert, Mr. Cagle, Mr. Jones of Wise, Mr. Reed of Bowie, Mr. Payne, Mr. Shofner, Mr. Fain, Mr. Glass, Mr. Lucas, Mr. Hardin, Mr. Adkins, Mr. Jones of Shelby, Mr. Bourne, Mr. Keefe, Mr. Bradbury, Mr. Sessions, Mr. Roach of Angelina, Mr. Tennyson, Mr. Petsch, Mr. Morris, Mr. Roach of Hunt, Mr. McConnell, Mr. England, Mr. Stovall, Mr. Davison of Fisher, Mr. Ford, Mr. Davis, Mr. Newton, Mr. Lindsey, Mr. Venable, Mr. Le-

mens, Mr. Burton, Mr. Palmer, Mr. Hunt, Mr. Tillery, Mr. Wood of Harrison, Mr. Graves, Mr. Craddock, Mr. Farmer, Mr. Olsen, Mr. Gray, Mr. Daniel, Mr. Head, Mr. Morrison, Mr. Tarwater, Mr. Lanning, Mr. Youngblood, Mr. McFarland, Mr. Westfall, Mr. Leath, Mr. Patterson and Mr. Lotief:

H. B. No. 34, A bill to be entitled "An Act amending sub-division 40a, Section 1, Chapter 212, House Bill 251, Acts Regular Session Forty-second Legislature; levying a tax upon persons, firms, and corporations who produce sulphur; providing for the making of sworn quarterly reports to the Comptroller; providing that the occupation tax on sulphur be Two Dollars and Twenty-five cents (\$2.25) per long ton, and for the collection of same; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Bradbury and Mr. Reed of Bowie:

H. B. No. 35, A bill to be entitled "An Act amending Article 7118, Revised Civil Statutes of 1925; amending Article 7119, Revised Civil Statutes of 1925, as amended by Acts of 1927, Fortieth Legislature, Chapter 62, page 87; amending Article 7120, Revised Civil Statutes of 1925; amending Article 7121, Revised Civil Statutes of 1925; amending Article 7122, Revised Civil Statutes of 1925, as amended by Acts of 1933, Forty-third Legislature, Section 2-b, sub-section 20, Chapter 192, page 581; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Fain:

H. B. No. 36, A bill to be entitled "An Act to permit the Bradfish Grain Company and the member or members composing the same to sue the State of Texas and the State Highway Department of Texas, for damages alleged to have been done and to have accrued to the property of said company, which is used for conducting a grain business in the City of Weatherford, said property being used in conducting a feed and grain business and located on the North side and adjoining Fort Worth Street and State

Highway No. One (1); etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Roach of Hunt, Mr. Reed of Bowie, Mr. Alsup, Mr. Hunt, Mr. Shofner, Mr. Jones of Wise and Mr. Head:

H. B. No. 37, A bill to be entitled "An Act to amend Chapter 162, Forty-third Legislature, Regular Session, so as to provide for a six cent a barrel tax on oil; placing said revenue into the Available School Fund and the Old Age Pension Fund of the State of Texas; requiring reports; prescribing penalties, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Rutta:

H. B. No. 38, A bill to be entitled "An Act defining and classifying secured debts; requiring the same to be registered with the assessor and collector of taxes in the county of the residence of the owner thereof or the county where the property or part thereof securing such debt is situated; requiring the payment by the holder thereof of certain registration fees; placing the enforcement of the Act in the Comptroller of Public Accounts; appropriating the proceeds thereof to the Old Age Pension Fund; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Farmer, Mr. James, Mr. Broyles, Mr. Roach of Angelina, Mr. Bradbury, Mr. Dunagan, Mr. Smith, Mr. Youngblood, Mr. Lucas, Mr. McConnell, Mr. Roach of Hunt, Mr. Adkins, Mr. Tillery and Mr. Hardin:

H. B. No. 39, A bill to be entitled "An Act amending Article 7046 of the Revised Civil Statutes of the State of Texas for 1925, providing that a poll tax of one (\$1.00) dollar only, shall be collected on every person between the ages of 21 and 60 years, making certain exceptions; and declaring that no poll tax shall be levied for general revenue purposes, and that no county shall levy a poll tax, and providing where unorganized counties may pay; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Reed of Bowie:

H. B. No. 40, A bill to be entitled "An Act amending Article 7118, Revised Civil Statutes of Texas, 1925, as amended by Acts 1935, Forty-fourth Legislature, Page 922, Chapter 356, Section 1; amending Article 7119, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1927, Fortieth Legislature, Chapter 62, Page 87, amending Article 7120, Revised Civil Statutes of Texas, 1925; amending Article 7121, Revised Civil Statutes of Texas, 1925; amending Article 7122, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1927, Fortieth Legislature, page 87, Chapter 62, as amended by Act 1931, Forty-second Legislature, Page 109, Chapter 72; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Lucas:

H. B. No. 41, A bill to be entitled "An Act requiring a special quail license costing Fifteen (\$15.00) Dollars of any person over seventeen (17) years of age who hunts quail outside the county of his residence; providing the fee for the officer who issues such licenses; disposing of funds from the sale of such licenses; providing a penalty for violation of this Act; repealing all laws, in so far as they may conflict with this Act, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Hunt, Mr. Alsup, Mr. Roach of Hunt, Mr. Venable and Mr. Roach of Angelina:

H. B. No. 42, A bill to be entitled "An Act relating to Pensions; to provide for the payment of an old age pension to persons both male and female, who have attained the age of sixty-five years or upward, are citizens of the United States, who have been residents of the State of Texas for five years during the nine years immediately preceding the application; is not a habitual drunkard or criminal, is not an inmate of any state supported institution and whose yearly income does not exceed Three Hundred Sixty (\$360.00) Dollars and homestead not to exceed a value of Three Thousand (\$3,000.00) Dollars, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Wood of Harrison, Mr. Bourne and Mr. Graves:

H. B. No. 43, A bill to be entitled "An Act relating to the compensation of district, and certain designated county and precinct officers and providing the method and means by which such officers shall be compensated for their services; providing for the appointment and payment of deputies, assistants and clerks in district, county, and precinct offices; limiting the payment of fees and commissions by the State in certain instances; requiring the keeping of books and records by such officers and the making of reports to designated authorities; etc., and declaring an emergency."

Referred to Committee on Counties.

By Mr. Rutta:

H. B. No. 44, A bill to be entitled "An Act requiring each person or persons, firm, club, copartnership, association, corporation, or company desiring to conduct any racing meet under the provisions of Chapter 10, Acts of the First Called Session of the Forty-third Legislature to pay a license fee according to the population of the locality where the meet is held, appropriating the funds so derived, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Venable, Mr. Hunt, Mr. Bradford and Mr. Stovall:

H. B. No. 45, A bill to be entitled "An Act providing for the levying and collecting of an annual occupation or license tax on all persons, firms, associations, partnerships, trustees, receivers, agents, or corporations opening, establishing, operating or maintaining two or more stores, places, stations or mercantile establishments within this State, where goods, wares, merchandise or commodities of any kind are sold or offered for sale at retail or wholesale; providing for a graduated tax and the amount thereof according to the number operated, controlled or owned; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Good:

H. B. No. 46, A bill to be entitled "An Act making certain emergency

appropriations out of the General Revenue Fund of the State of Texas to supplement appropriations by the Regular Session of the Forty-third Legislature for the maintenance and administration of the Judiciary and to pay expenses of attached witnesses and witness fees in felony cases; to pay deficiency certificates already issued against such appropriations and those claims which may accrue against such appropriations in the future, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Hankamer, Mr. Clayton and Mr. Jackson:

H. B. No. 47, A bill to be entitled "An Act authorizing Commissioners' Courts in counties having a population of not less than 125,000 inhabitants and not more than 250,000 inhabitants, and containing a city of not less than 90,000 inhabitants, according to the last preceding Federal Census, to levy a direct tax of not more than 5 cents on the one hundred dollars assessed valuation, for the purpose of advertising and promoting the growth and development of such counties and their county seats, and providing for an election authorizing such tax; and creating and providing for the appointment of a Board of County Development, devoted to the growth, advertisement and development of such counties and their county seats; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Pope:

H. B. No. 48, A bill to be entitled "An Act to add a new section to be known as Section 16a to, and to amend Sections 1 and 7 of, Senate Bill No. 43, Chapter 17, of the General and Special Laws passed by the Second Called Session of the Forty-third Legislature of the State of Texas, which Act relates to the issuance of bonds, notes, or warrants payable from revenues other than taxation, for the construction, maintenance, and operation of certain improvements in certain cities, and authorizes such cities to borrow money from the United States Government or other Federal Agencies, or from any person, firm or corporation, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Pope:

H. B. No. 49, A bill to be entitled "An Act withdrawing from sale or lease for minerals or otherwise all lands owned by the State of Texas situated in the bed of, and between the cut banks of the Nueces River between the lower boundary of La Fruta Dam, now being reconstructed by the City of Corpus Christi, and the junction of the Nueces River with the eastern boundary line of McMullen County; etc., and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Jones of Falls, Mr. Latham, Mr. Butler of Brazos, Mr. Dickison, Mr. Hardin, Mr. Stinson, Mr. Jackson, Mr. Davis, Mr. Hoskins, Mr. Butler of Karnes, Mr. Crossley, Mr. Clayton, Mr. Hankamer, Mr. Morse and Mr. Celaya:

H. B. No. 50, A bill to be entitled "An Act making certain appropriations for the hospitalization of indigent tuberculosis patients in private sanatoria within this state; authorizing the Board of Control and the Superintendent of the State Tuberculosis Sanatorium to enter into contracts with private sanatoria for the hospitalization of such tuberculars under the rules and regulations as at present established by law for admission to the State Tuberculosis Sanatorium, and removing the restrictions as to color in the hospitalization of tuberculosis patients in private sanatoria; etc., and declaring an emergency."

Referred to Committee on Appropriations.

COMMUNICATIONS TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES

The Speaker laid before the House, and had read the following communications:

Winters, Texas, September 16, 1935.
Hon. Coke R. Stevenson,
Austin, Texas.

Greetings to the Forty-fourth Legislature in First Called Session. Remember me.

Mr. and Mrs. H. O. Jones.

Washington, D. C., Sept. 16, 1935.
Hon. Coke Stevenson, Speaker of the
House of Representatives,
Austin, Texas.

Hopkins advises his approval of Brazos River Project. Matter next

goes before President, then Comptroller General and in event of favorable action by these officials to Mr. Drought for decision as to how much or all the project can be carried out by him. In meantime earliest possible action by Legislature along lines suggested by me in wire to Senator Stone and Mr. Mims on last Saturday. Necessary to place project in readiness for action so far as State Legislature is concerned.

Morris Sheppard.

MESSAGE FROM THE SENATE

Austin, Texas, September 19, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 3, A bill to be entitled "An Act to amend Chapter 3, of the Special and General laws of the Fourth Called Session of the Forty-third Legislature, and to amend Section 3, of Chapter 19, Acts of the Regular Session of the Forty-fourth Legislature, to aid the Brazos River Conservation and Reclamation District, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

PROVIDING FOR A COMMITTEE OF THREE TO INVESTIGATE THE ADMINISTRATION OF THE STATE RELIEF SYSTEM IN TARRANT COUNTY, TEXAS

Mr. Farmer offered the following resolution:

Whereas, The State and Federal Governments have provided, heretofore, funds for the relief of the distressed and needy in different counties of the State; and

Whereas, Tarrant County, containing a large city, Fort Worth, has had allocated to it several hundred thousand dollars for the purpose of relieving the distressed and needy of Tarrant County; and

Whereas, There has been much complaint in regard to the administration of these funds in said county by citizens of the county, and many have demanded an investigation and correction of the grievances existing as alleged by them in that county; and

Whereas, They have charged as follows:

1st. That the administration of relief in Fort Worth has been discriminatory in the rankest way. Some unworthy of relief have been given the funds, while those in direst need have been denied relief.

2d. The manner of administration by caseworkers, whose discretion has been the sole arbiter of relief, has been most dictatorial, autocratic, discriminatory and oppressive, and from same there has been no appeal by the distressed citizen.

3d. The present administrator and former ones refused to hear appeals by a wronged citizen, and do arbitrarily refuse relief.

4th. The relief law is violated in many respects, in that a political machine has been created, favorites are kept in employment when not in need, in preference to those more capable that needed relief; and have kept the records secret.

5th. That the system as administered in Tarrant County has become a racket for the benefit of favorites with political power. One negro woman and husband get \$350.00 per month out of the Government.

6th. That there has been defalcations, embezzlements of public funds, padding of pay rolls, and other misuses of public funds and public supplies designed for the benefit of the distressed and needy. One white woman, high up, having her washing and ironing done in exchange for relief grocery orders.

7th. That citizens have been denied access to the public records of such relief administration as required by law, and that same has been done to cover up law violations.

8th. That employees have used the funds and supplies for their own benefit in violation of law, and charge that such acts have been made known and yet the employees have been retained and are now on the pay roll.

9th. That employees have taken advantage of the needy, and advised distressed women to practice immorality to get help, and that men have taken advantage of women, and such characters are retained on the pay roll.

10th. That these things have been made known to the State Board of Relief, and they have refused to appoint

a grievance committee as provided by law. Our complaints have gone unheeded for the greater part. These complaints have gone in a circle of buck passing from Fort Worth to Washington, then to Austin, then back to Fort Worth, and even then reversed.

11th. The county board is a figure head and refuses to sit to hear complaints. Armed guards halt the complaining citizen and hours are wasted in fruitless effort trying to get a hearing; and

Whereas, The Board of Control has knowledge that it is designed to engraft such a system on the administration of the old age pension law to be made, because of the prospective participation of the Federal Government in giving funds for an old age relief system; and

Whereas, The sick have been denied medicine and positions when in dire distress.

Therefore, Be It Resolved, That the Speaker is directed to appoint a committee of three members of the House, as a Committee to investigate thoroughly the relief system and set up as administered in Tarrant County, and that such committee hold such investigation within the next two weeks and make a report immediately to the House of Representatives of their findings and conclusions and recommendations.

Be it further Resolved, That it is hereby made the duty of the State Board of Control and they are directed to work with and cooperate with the said committee in furnishing information and aid available from the knowledge and files of said Board in regard to such Relief Administration; be it further resolved, that all necessary expenses pertaining to said investigation by this committee, while on such business, shall be paid out of the contingent funds of the House of Representatives of the Forty-fourth Legislature, to be paid on sworn accounts, signed by the chairman of this committee.

The Speaker shall appoint the chairman. The chairman shall preside over such committee meetings and direct its activities; shall conduct hearings, and summon witnesses, and swear them; may punish for contempt as in District Court; may pay witnesses who appear the same as wit-

nesses are paid in the District Court; and may pay the same fees as paid in District Court summoning witnesses; and may conduct hearings and investigations in the City of Fort Worth, Tarrant County, Texas, deemed to be advisable by the Chairman for any of such purposes, or any other purposes to carry out the object of this resolution.

Such committee shall report in writing its findings and conclusions and recommendations within five days after completion of its work, for the benefit of this Legislature in the enactment of legislation for old age assistance and other relief.

Said committee shall give its ideas relative to a better functioning of the Relief system in the saving of time, and providing labor, money, relief for the needy, so that errors can be remedied wherever same may be found to exist; and as to any and all things that such committee may think advisable relative to the scope of this investigation; to bring to the attention of the Legislature all needed or suggested reforms or changes in the Relief Law and administration of same in the State of Texas.

There is hereby appropriated two hundred dollars (\$200.00) out of the contingent funds of the House of Representatives for the expenses of this investigation.

The resolution was read second time.

Mr. Greathouse offered the following amendment to the resolution:

Amend Farmer Resolution that all rules pertinent be suspended, and to provide that the resolution be referred to the Tarrant County delegation for consideration, pending further action, that the said Members be required to report back to the House in five (5) days.

The amendment was lost.

Question then recurring on the resolution by Mr. Farmer, it was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee:

Messrs, Farmer, Chairman, Smith and Greathouse.

TO PROVIDE FOR CONSIDERATION OF CERTAIN BILLS

Mr. Glass offered the following resolution:

Whereas, It is common talk among the members of the Legislature that the consideration of revenue measures at the present time will mean the killing of old age pension legislation during the Special Session; and

Whereas, The people of Texas are expecting the Governor and the Legislature to provide Old Age Pensions immediately; and

Whereas, The Legislature appropriated money for The Texas Centennial from the General Revenue Fund without passing tax measures to finance the same; and

Whereas, The Governor signed the bill appropriating millions of dollars for the Centennial; now, therefore, be it

Resolved by the House of Representatives, That bills proposing, (1) liquor regulation, (2) appropriations for Old Age Pensions with agencies to distribute the pensions, and (3) salary legislation for county officials, be taken up and disposed of before measures on other subjects are considered by the House of Representatives.

GLASS,
HUDDLESTON.

The resolution was read second time.

Mr. Alsop raised a point of order on further consideration of the resolution at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Glass moved that the House Rule relative to the time allotted for the consideration of resolutions be suspended, at this time, for the purpose of considering the above resolution.

The motion was lost.

MESSAGE FROM THE SENATE

Austin, Texas, September 19, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 13, A bill to be entitled "An Act making an appropriation out of the General Revenue Fund in the sum of Two Hundred Thousand (\$200,000.00) Dollars to be used in the building of a Texas Supreme Court Memorial Building at Austin, and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of Senate.

HOUSE BILL NO. 4 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 4, A bill to be entitled "An Act amending Article 1302, Revised Civil Statutes of Texas of 1925, by adding thereto a new sub-section authorizing the creation of corporations to engage in the manufacture, sale and transportation of alcoholic liquors; and amending Subdivision 18 of said Article; and declaring an emergency."

The bill was read second time.

Mr. Graves offered the following amendment to the bill:

Amend House Bill No. 4 by eliminating, ("or retail") in line 18.

GRAVES,
McCONNELL,

The amendment was adopted.

Mr. Farmer offered the following amendment to the bill:

Amend House Bill No. 4 as follows:

Add a new section to be numbered "91" to read as follows:

"91. To grow fruit and make all kinds of wine."

Mr. Morris raised a point of order on further consideration of House Bill No. 4, at this time, on the ground that the bill has not been on the members' desks twenty-four hours in accordance with the House Rules.

The Speaker sustained the point of order.

On motion of Mr. Farmer, the Twenty-four Hour House Rule, relative to the consideration of printed bills, was suspended at this time for the purpose of considering House Bill No. 4.

Mr. Greathouse offered the following amendment to the amendment by Mr. Farmer:

Amend amendment by Mr. Farmer, by striking out the words "to grow fruit and."

The amendment was adopted.

On motion of Mr. Morse, the amendment by Mr. Farmer as amended, was tabled.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 4 was then passed to engrossment.

MOTION TO TAKE UP HOUSE BILL NO. 4

Mr. Morse moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 4 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—84

Adamson	Holland
Alexander	Hoskins
Alsup	Howard
Ash	Huddleston
Bergman	Hunter
Bourne	Hyder
Butler of Brazos	Jackson
Butler of Karnes	James
Caldwell	Jefferson
Calvert	Jones of Atascosa
Celaya	Jones of Falls
Clayton	Jones of Shelby
Collins	King
Colquitt	Leath
Colson	Lotief
Cooper	Luker
Cowley	McCalla
Craddock	McKee
Davisson	McKinney
of Eastland	Moore
Dickison	Morse
Dunagan	Newton
Duvall	Nicholson
Dwyer	Padgett
Farmer	Palmer
Ford	Patterson
Fox	Payne
Fuchs	Quinn
Greathouse	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Roach of Hunt
Hardin	Roane
Harris of Dallas	Roark
Herzik	Roberts
Hodges	Russell
Hofheinz	Rutta

Settle
Shofner
Smith
Spears
Stanfield
Steward
Stinson

Stovall
Tennyson
Thornton
Tillery
Waggoner
Walker
Young

Nays—38

Adkins	Jones of Wise
Aikin	Keefe
Beck	Lanning
Bradbury	Latham
Broyles	Lemens
Burton	Lindsey
Cagle	Lucas
Canon	McConnell
Crossley	Moffett
England	Morris
Fain	Morrison
Frazer	Roach of Angelina
Gibson	Sessions
Glass	Wells
Graves	Westfall
Gray	Wood of Harrison
Harris of Archer	Wood of Montague
Head	Worley
Hunt	Youngblood

Present—Not Voting

Davison of Fisher

Absent

Atchison	Leonard
Bradford	McFarland
Daniel	Olsen
Davis	Petsch
Dunlap of Hays	Pope
Dunlap of Kleberg	Riddle
Good	Rogers
Hartzog	Scarborough
Hill	Tarwater
Knetsch	Venable

Absent—Excused

Fisher	Mauritz
Fitzwater	Reader
Lange	

TO PROVIDE FOR APPOINTMENT OF A COMMITTEE TO STUDY PENSION PLANS

Mr. Keefe, by unanimous consent, offered the following resolution:

H. C. R. No. 2, To provide for committee in regard to old age pensions.

Whereas, The people of the State of Texas adopted overwhelmingly August 24, 1935, a constitutional amendment providing for an old age pension system for qualified citizens over the age of sixty-five; and

Whereas, The Federal Government recently passed the Social Security Act which provides for financial aid to those states which will set up pension plans in keeping with the law as administered by the Social Security Board; and

Whereas, The Legislature is now confronted with the problem of setting up a plan that will meet the emergency needs of eligible old people, as well as the problem of setting up a plan that will prove satisfactory to eligible old people over a long period of time; and

Whereas, In the short period of thirty days it is nearly impossible to study the complex workings of old age pension and invalidity plans in operation in thirty-one states and twenty-two foreign countries with the purpose in view of enacting an intelligent and workable law that will meet the demands of the electorate and answer the requirements of the national government. So it is essential to the writing of a good law to have the benefit of facts and figures compiled by authorities on old age pension systems and the opinions of people who expect to benefit by a pension plan, as well as the views of labor, agriculture, and industry with regard to a long-time contributory pension system. Finally, a nearly accurate estimate of the number to benefit will be necessary before intelligent attempts can be made to secure revenue. Therefore, be it

Resolved by the House of Representatives, the Senate concurring,

I

That a joint committee of ten members, five from the House and five from the Senate, be appointed, respectively, by the Speaker and Lieutenant Governor, to meet immediately to study pension plans in other states and foreign countries, to gather such information as it sees fit, and to write emergency pension bills that will best fit at this time the needs of Texas' sixty-five-year-old citizens, together with recommended permanent plans for a system of pensions for future sixty-five-year-old citizens. As soon as possible, the joint committee shall prepare a report of its findings, giving therein the recommended emergency bill, together with such data as it feels will benefit the members of the House and Senate. (However, this joint committee shall not recommend any measures for raising revenue to pay pen-

sions; it may only show in its report the means used in other states and foreign countries to pay.) If it is possible to include the recommendations for a permanent contributory system, these shall be included; if not, the committee shall complete its labors and make its report by January 1, 1936. Such report and/or reports shall be placed in the hands of every member of the House and Senate.

II

That the State Auditing Department, the Department of Labor, and such other state employees as are necessary shall give a reasonable part of their time to the joint committee for the purpose of gathering information and lending their aid toward the writing of bills and reports. (However, no new employees shall be hired by the joint committee for secretarial and clerical help, as present employees of the House and Senate may be drafted for this work.)

III

That the joint committee shall select its chairman from among its own members and adopt its own rules; provided, however, that all joint committee meetings shall be open and that there shall be a record kept of its proceedings, which shall be open at all times, together with data and information gathered.

IV

That the joint committee shall begin and complete its study at the earliest practicable moment and shall submit one report in writing to the First Called Session of the Forty-fourth Legislature, and that final reports shall be submitted to the members of the Forty-fourth Legislature, the Governor, the Secretary of State, and the Department of Labor. The compensation and expenses of the joint committee shall be paid out of the appropriation for mileage and per diem and contingent expense fund of the First Called Session of the Forty-fourth Legislature, upon sworn account of the person entitled to such pay, when approved by the chairman of said committee, and sufficient money is hereby appropriated out of the mileage and per diem and contingent expense fund of the First Called Session of the Forty-fourth Legislature to meet the payment of expenses of the members of said committee, and per diem and expenses of witnesses, fees, and other

expenses incident to said study of pension plans.

KEEFE,
DANIEL,
TARWATER,
ROARK,
JONES of Wise,
DAVISON of Fisher.

The resolution was read second time.

On motion of Mr. Keefe, the resolution was referred to the Committee on State Affairs.

ADDITIONAL SIGNERS OF HOUSE BILLS

By unanimous consent of the House, Mr. Lindsey was authorized to sign House Bill Nos. 24, 25, 26, 27, 28, 29 and 30 as co-author of same.

Mr. Hofheinz was authorized to sign House Bill No. 9 as co-author of same.

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read the following enrolled resolution:

H. C. R. No. 1, Inviting Governor James V. Allred to address a joint session of the House and Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read first time, and referred to the appropriate committees, as follows:

Senate Bill No. 3, to the Committee on Conservation and Reclamation.

Senate Bill No. 13, to the Committee on Appropriations.

ADJOURNMENT

On motion of Mr. Butler of Brazos, the House at 12:00 o'clock m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills as follows:

Conservation and Reclamation: Senate Bill No. 3.

Education: House Bill No. 23.

Judiciary: House Bill Nos. 25, 26, and 27.

State Affairs: House Bill No. 36, and House Concurrent Resolution No. 2.

FIFTH DAY

(Friday, September 20, 1935)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker	Gibson
Adamson	Glass
Adkins	Good
Aikin	Gray
Alexander	Greathouse
Alsup	Hankamer
Ash	Hanna
Atchison	Hardin
Beck	Harris of Archer
Bergman	Harris of Dallas
Bourne	Hartzog
Bradbury	Head
Bradford	Herzik
Broyles	Hill
Burton	Hodges
Butler of Brazos	Hofheinz
Butler of Karnes	Holland
Cagle	Hoskins
Caldwell	Howard
Calvert	Huddleston
Canon	Hunt
Celaya	Hunter
Clayton	Hyder
Collins	Jackson
Colquitt	James
Colson	Jefferson
Cooper	Jones of Atascosa
Craddock	Jones of Falls
Crossley	Jones of Shelby
Daniel	Jones of Wise
Davis	Keefe
Davison of Fisher	King
Davisson	Knetsch
of Eastland	Lange
Dickison	Lanning
Dunagan	Latham
Dunlap of Hays	Leath
Dunlap of Kleberg	Lemens
Duvall	Leonard
Dwyer	Lindsey
England	Lotief
Fain	Lucas
Farmer	Luker
Ford	McCalla
Fox	McConnell
Frazer	McFarland
Fuchs	McKee